

CHAPTER NO. 15

SENATE BILL NO. 62

By Henry, Dixon

Substituted for: House Bill No. 14

By Rhinehart

AN ACT To amend Tennessee Code Annotated, Section 8-39-204, relative to cost-of-living adjustments in the death benefits payable to certain surviving spouses of former governors.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-39-204, is amended by adding the following new subsection at the end thereof:

(c)(1) Notwithstanding any provision to the contrary, if the surviving spouse of a former governor was married to the former governor during any period while the former governor served in office as governor, the monthly survivor benefit payable to such surviving spouse under this section shall be subject to adjustment pursuant to subdivisions (2) and (3) below.

(2) Effective July 1, 1999, if there is a percentage increase in the consumer price index, as determined in accordance with §8-36-701(a)(1), of at least one-half of one percent (0.5%), the monthly survivor benefit payable to each such surviving spouse in receipt of an allowance prior to the July 1 next following shall be increased commencing on such July 1 by an amount determined by multiplying the surviving spouse's then current monthly survivor benefit by such percentage, but not to exceed three percent (3%). Such increased benefit shall be the surviving spouse's base benefit. Notwithstanding the foregoing, if such percentage is one-half of one percent (0.5%) or more but less than one percent (1%), the percentage shall be rounded to one percent (1%).

(3) Notwithstanding the provisions of subsection (2) above, in any year in which there is an increase in the annual salary of the office of the governor, the surviving spouse shall, on July 1 of such year, have such surviving spouse's then current base benefit recomputed according to the then annual salary of the office of the governor. For recomputation purposes, previous cost-of-living adjustments given pursuant to subsection (c)(2) of this section shall not be included. The recomputed benefit shall be compared to the current base benefit received by the surviving spouse. If the recomputed benefit is larger, the surviving spouse's base benefit shall become the recomputed benefit effective on July 1 of such year. The new base benefit shall thereafter be subject to the cost-of-living provisions of subsection (c)(2) of this section.

(4) Any increase in benefits provided by this subsection shall not be paid retroactively, but shall become effective on July 1, 1999.

SECTION 2. The provisions of this act shall be subject to the funding being provided in the General Appropriations Act.

SECTION 3. This act shall take effect on July 1, 1999, the public welfare requiring it.

PASSED: March 8, 1999


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 17th day of March 1999


DON SUNDQUIST, GOVERNOR